

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL
ORIGINAL

RECEIVED

SEP 4 - 1998

In the Matter of)

Communications Assistance for)
Law Enforcement Act)

CC Docket No. 97-213

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

PETITION FOR EXTENSION OF COMPLIANCE DATE

Pursuant to Section 107(c) of the Communications Assistance for Law Enforcement Act ("CALEA"),¹ America Mobile Satellite Corporation ("AMSC" or "Petitioner") hereby respectfully petitions the Commission for a two-year extension of CALEA's October 25, 1998 deadline for compliance with the assistance capability requirements of Section 103.² This extension is warranted because compliance with CALEA's assistance capability requirements is "not reasonably achievable through the application of existing technology," and will not be reasonably achievable for at least two years.³

American Mobile Satellite Corporation owns and operates an integrated terrestrial/satellite network and provides a wide range of mobile communication services, including digital voice dispatch data communications, dual-mode mobile messaging, position reporting services, and satellite telephone to the continental U.S., Alaska, Hawaii, Puerto Rico,

¹ 47 U.S.C. § 1006.

² 47 U.S.C. § 1002.

³ 47 U.S.C. § 1006(c)(2).

No. of Copies rec'd DT 4
List ABCDE

the Virgin Islands, and hundreds of miles of U.S. coastal waters. AMSC's services are used in the transportation, field service, maritime, two-way messaging, and telemetry markets.

While AMSC is committed to continue to provide capability and capacity required by CALEA, it cannot do so until law enforcement requirements have been identified and appropriate industry standards have been established. The Federal Bureau of Investigation, because of understandable resource constraints, has focused its energies on other industries (such as local exchange, cellular, and personal communications services industries), and has not been able to identify its simultaneous capacity and other requirements for either the satellite or the two way messaging industry.⁴

Despite the unavailability of such requirements, AMSC will continue to make every effort to provide law enforcement officials with the ability to engage in court ordered electronic surveillance through the use of cloned pagers or messaging terminals. AMSC further commits to continue to work with law enforcement, through the Personal Communications Industry Association ("PCIA") and other appropriate industry associations, to develop industry standards necessary to permit compliance with CALEA requirements, as applied to the satellite and/or messaging service industries. Unfortunately, because such standards do not currently exist, compliance for AMSC's satellite and more advanced wireless services, including two-way messaging or paging services⁵ will not be reasonably achievable by October 25, 1998.

⁴ See *Implementation of Section 104 of the Communications Assistance for Law Enforcement Act*, 63 Fed. Reg. 12218, 12220 (1998) (only promulgating capacity requirements for "those services that are of most immediate concern to law enforcement").

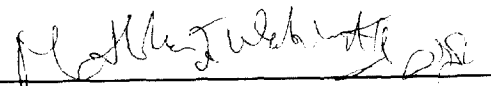
⁵ Traditional, one-way paging supports the one-way, wireless transmission of tone, numeric, alphanumeric and voice messages to a radio receiving device (*i.e.*, pager) within a stipulated, predefined geographic radio coverage area. It does not include such advanced

(Continued...)

Accordingly, AMSC requests that the deadline for complying with CALEA's assistance capability requirements be extended for at least two years until law enforcement's capacity and capability requirements can be identified and an appropriate industry standard for messaging and satellite services can be promulgated.⁶

Respectfully submitted,

American Mobile Satellite Corporation

By: 
Matthew J. Whitehead, II
Vice President & Executive Counsel
300 Knightsbridge Parkway
Lincolnshire, IL 60069
(847) 913-4226

Dated: September 4, 1998

(...Continued)
messaging features as roaming, forwarding, or two-way messaging or paging.

⁶ Because law enforcement's requirements are unlikely to be established (and an appropriate industry standard promulgated) by October 25, 1998, further extension beyond the current request may be necessary.